

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REVISED

PROPOSED AGENDA FOR REGULAR COUNCIL MEETING, COUNCIL CHAMBERS FEBRUARY 22, 2005 9:00 A.M.

ROLL CALL

Invocation – Pastor Ponce L. Brown
Pledge of Allegiance

REGULAR AGENDA

1. My issues involve discrimination, housing, Sun Metro and Animal Control/Police interaction. [Jeanne Stoakes]
2. Discussion to present testimony on increasing incidents where El Paso Police agents enforced immigration laws by asking El Paso residents for legal status. [Fernando Garcia, Border Network for Human Rights]

MAYOR'S PROCLAMATIONS

1. ***National Trio Day***
2. ***National FFA Week***
3. ***100 Year Celebration of the Bureau of Reclamation***

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

3. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of February 15, 2005.

4. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**5. RESOLUTIONS:**

- 5A.** That the Mayor be authorized to sign a First Amendment to Fixed Base Operators Lease and Operating Agreement between the City of El Paso ("Lessor") and Cutter Aviation El Paso Limited Partnership ("Lessee") to increase the Tenant Improvement Area, decrease the Aircraft Parking Ramp and to adjust the Fixed Annual Rent effective March 1, 2005. **(District 3)**

[Airport, Patrick T. Abeln, (915) 780-4736]

- 5B.** That the Mayor be authorized to sign the following grant application on behalf of the Arts and Culture Department for submission to the Texas Commission on the Arts (TCA) and to sign the related contract and documents should funds be granted, either in the requested amount or at such lesser amount as may be approved by the TCA. This grant will be used for the Direct Funding program Sub-granting. The grant amount is as follows:

To request and receive \$35,000 to sub-grant to local arts organizations through the Sub-granting Program for FY 2006. No new matching funds are required.

(All Districts) [Arts and Culture, Betty Jaraba, (915) 541-4481]

- 5C.** That the Mayor be authorized to sign an agreement by and between the City of El Paso and JNC Development, Inc., to allow JNC Development, Inc. access to a City ponding area Lot 2, Block 2, HuecoView Acres, El Paso, El Paso County, Texas to construct ponding area improvements. There is no cost to the City. **(District 5)** [Building and Planning Services, Patricia D. Adauto, (915) 541-4855]

- 5D.** That the following Housing Rehabilitation application and funding be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved application.

Application No.: H04-12-IO/CD/RG-0322	HOME Loan:	\$139,712.00
	HOME Grant	<u>\$ 34,928.00</u>
	Total	\$174,640.00

Address: 221 Rio Grande (79902)

Interest at zero percent (0%)

And That the Mayor be authorized to sign a Community Development Investor-Owned Terms Contract between the City and owners Francisco and Eugenia Torres, and a Builder's and Mechanic's Lien Contract and Deed of Trust (With Power of Sale) between the City, Medson's Construction, Ltd., Co., and Francisco and Eugenia Torres, relating to a Community Development Rehabilitation Loan Application No. H04-12-IO/CD/RG-0322. **(District 8)**

Funding is available in (HOME Program Account: 09753-71150036 / G7102HM-505204 \$174,640.00. [Community and Human Development, Jaime Herrera, (915) 541-4340]

- 5E.** That the Mayor be authorized to sign on behalf of the City County Health & Environmental District, the following contract amendment and renewal, and related materials, with the Department of State Health Services.

EPI – Blood Lead Surveillance Group
Document No. 7460007499-2005-05C, Contract Change No. 22

Change No. 22 increases the term of the grant from six months (7/1/04 to 12/31/04) to one year (7/1/04 to 6/30/05). It also increases the funding from \$25,000 to \$50,000.

The funding source is Dept ID 41010157, Fund 01101, Account 506000, City Grant Match of \$10,000.

[El Paso City-County Health and Environmental District, Dr. Jorge C. Magaña, (915) 771-5702]

- 5F.** That the Mayor be authorized to sign on behalf of the City County Health & Environmental District, the following contract amendment and renewal, and related materials, with the Department of State Health Services:

DPIS – Public Health Nutrition
Document No. 7460007499-2005-11A, Contract Change No. 31

Change No. 31 increases the term of the grant from three months (10/1/04 to 12/31/04) to one year (10/1/04 to 9/30/05). It also increases the funding from \$12,342 to \$28,526. No City Match required.

[El Paso City-County Health and Environmental District, Dr. Jorge C. Magaña, (915) 771-5702]

- 5G.** That the Mayor be authorized to sign on behalf of the City County Health & Environmental District, the following contract amendment and renewal, and related materials, with the Texas Commission on Environmental Quality.

TCEQ PM 2.5 MONITORING
Contract Number 582-5-55865, Amendment 1

This amendment increases the total compensation possible under the contract from \$72,000.00 to \$108,000.00. The District will operate two additional PM 2.5 Model 2025 Samplers. One of the samplers will be located at Ascarate and one at the University of Texas at El Paso. The District will operate a total of six samplers during the contract term from September 1, 2004 to August 31, 2005. No City Match required.

[El Paso City-County Health and Environmental District, Dr. Jorge C. Magaña, (915) 771-5702]

- 5H.** Joint Use Agreement between the City of El Paso and the El Paso Water Utilities for the use of a 0.4039 acre portion of the 19.927 acre Pico Norte Park property for the construction and installation of an elevated water reservoir tank located in a portion of Lot 2, Block 32, Parkwood Subdivision Unit Eight, City of El Paso, County of El Paso, Texas, and a portion of Block 62, Vista Del Sol Subdivision Unit Eleven, City of El Paso, County of El Paso, Texas. **(District 5)**

[El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5506]

- 5I.** That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a Section 40, Block 80, Township 2, El Paso County, Texas to provide service to the new well at the Lonestar Golf Course located at 1510 Hawkins Blvd. **(District 3)**
Funding Source: Project #PAP0033, Fund 41074, Dept. ID 62620022.
[Engineering, Irene Ramirez, (915) 541-4431]
- 5J.** That the Mayor is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for the installation of underground electrical service to the pump at the LoneStar Golf Course, located at 1510 Hawkins Blvd., El Paso, El Paso County, Texas. Said electrical service shall consist of an underground system consisting of a 277/480 volt, three phase, four wire. One (1) 500 KVA transformer will be installed to service the electrical load. **(District 3)**
Funding Source: Project #PAP0033, Fund 41074, Dept. ID 62620022.
[Engineering, Irene Ramirez, (915) 541-4431]
- 5K.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of MARKETING & CUSTOMER RELATIONS COORDINATOR is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain 5133. The Grade shall be PM 77. Salary Range: \$38,236.13 - \$56,566.65 (PM 77)
Fund Source: 62620001-40101-62000 & 60600001-40345-60000
[Human Resources, Terry A. Bond, (915) 541-4509]
- 5L.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of ZOO VETERINARIAN is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain 5131. The Grade shall be EX J.
Salary Range: \$50,274.49 – \$78,969.13 (PM 80 To EX J)
Fund Source: 52010245-01101-52000
[Human Resources, Terry Bond, (915) 541-4509]
- 5M.** That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of ELEPHANT SUPERVISOR is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain 9354. The Grade shall be GS 18.
Salary Range: \$24,678.75 - \$34,353.09 (GS 18 To Same)
[Human Resources, Terry Bond, (915) 541-4509]
- 5N.** That the Mayor be authorized to sign an amendment to the Interlocal Agreement by and between the City of El Paso, Texas ("City"), acting in its capacity as the fiscal agent to the Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the University of Texas at El Paso ("UTEP"), executed on September 28, 2004, to expand the scope of services and increase the total compensation for completion of the project. The additional funds are 100% State and Federal Funds. The MPO has sufficient funds budgeted for this Agreement. The funding source: Grant G780003, Dept. ID 68150009 and Fund #05003. **(All Districts)**
[Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735, Ext. 13]

- 50.** Revised Resolution providing for the 2005 General Election in the City of El Paso, calling for an Election of Officers. [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]
- 5P.** That the Mayor be authorized to sign an Agreement between the City of El Paso and Sexual Trauma and Assault Response Services to provide outreach emergency counseling and follow-up public health services for the reported victims of sexual assault in the amount of \$60,000.00. The term of this Agreement, regardless of the date of execution, shall be September 1, 2004 through August 31, 2005. General Fund #01101 Account#21010061-502215
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 6. REINSTATEMENT:** Request for name to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:
- Garing, Cheryl - Horticulturist
[Zoo, Lea Hutchinson, (915) 521-1850]
- 7. STAFFING TABLE CHANGES:**
- 7A. Airport**
- | | | | |
|---|------|--|-------|
| Add | 1.00 | Marketing & Customer Relations Coordinator | PM 77 |
| Delete | 1.00 | Airport Public Relations Coordinator | PM 75 |
| Fund Source: 62620001-40101-62000 | | | |
| [Airport, Patrick T. Abeln, (915) 780-4724] | | | |
- 7B. Mass Transit**
- | | | | |
|---|------|--|-------|
| Add | 1.00 | Marketing & Customer Relations Coordinator | PM 77 |
| Delete | 1.00 | Transit Community Relations Manager | PM 75 |
| Fund Source: 60600001-40345-60000 | | | |
| [Mass Transit, Terry Lee Scott, (915) 534-5810] | | | |
- 7C. Zoo**
- | | | | |
|---------------------------------------|------|------------------|-------|
| Add | 1.00 | Zoo Veterinarian | EX J |
| Delete | 1.00 | Zoo Veterinarian | PM 80 |
| Fund Source: 52010245-01101-52000 | | | |
| [Zoo, Lea Hutchinson, (915) 521-1850] | | | |
- 8. BOARD RE-APPOINTMENT:**
- Emily Garcia Heaton to the Ethics Review Commission by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]
- 9. BOARD APPOINTMENTS:**
- 9A.** Thomas Cantwell to the Community Development Steering Committee by Representative Robert A. Cushing, Jr., District 2. (Serving an un-expired term).
[Representative Robert A. Cushing, Jr., (915) 541-4996]
- 9B.** Jesus Lira to the Workforce Retraining Advisory Committee by Representative Paul J. Escobar. [Representative Paul J. Escobar, (915) 541-4182]

- 10. RESIDENTIAL STREET LIGHT:** Approve installation, power, and maintenance of residential street light at the following location:

Between 3512 Murray & 700 Mesita Cost \$899.00 **(District 1)**
 Account #504420, Dept. ID 01153001, Fund 16501, Project PD10422
 [Representative Susan Austin, (915) 541-4886]

11. DISCRETIONARY FUNDS:

- 11A.** Request authorization to allocate \$500.00 from District 4 Discretionary Funds to the El Paso Public Library to co-sponsor Dia De Los Niños/Dia De Los Libros. Department ID #01010004; Account #504420; Fund #16509; Class #01001.
 [Representative John F. Cook, (915) 541-4140]
- 11B.** Request to allocate \$500 from District VII Discretionary funds to the 2005 El Paso Golden Gloves tournament to cover the travel expenses for the winner of the El Paso Golden Gloves tournament which is sponsored by the El Paso Golden Gloves Association and the City of El Paso. The tournament is to be held in Ft. Worth, Texas. Dept ID#01153010, Acct#504420, Fund #16507
 [Representative Vivian Rojas, (915) 541-4108]
- 12.** Approve Change Order No. 11 (Construction Change) to Samcorp General Contractors for Contract No. 2004-045, New Marty Robbins Recreation Center and Pool Enclosure project for an increased amount of \$65,048.55. Change Order also adds ninety (90) days to the contract time. The purpose of this change order is to install an outdoor basketball court on the eastern side of the recreation center, to include a concrete slab, backboards, benches and concrete poles with lights. This change was requested by the Parks and Recreation Department. [Purchasing, Barbara Crumley, (915) 541-4113]
- 13.** Request to authorize the Director of Purchasing to continue providing service of the Beverage Concession for the El Paso Zoo, with Pepsi Bottling Group on a month-to-month basis, until a interim agreement is approved by Mayor and Council.

Coca Cola has advised SSA and the Zoo that they are phasing out fountain support for their products. SSA is not in a position to discontinue fountain service.

Additional, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the City Manager or the Mayor be authorized to execute any related contract documents and interim agreements necessary during the period.

This is a revenue agreement only with no expenditure of funds necessary.

ACCOUNT NO.: Revenue
 FUNDING SOURCE: Revenue
 DEPARTMENT: Zoo
 [Purchasing, Ray Heredia, (915) 541-4316]

14. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

14A. Solicitation No. 2005-091 Janitorial Services for Lincoln Center
Award to: Carefree Janitorial Service
El Paso, TX
Item (s): All
Amount: \$12,465.00 (estimated yearly)
Department: Parks & Recreation
Funds available: 51010256-51510024-01101-16324-502206
Funding source: Marty Robbins, facilities Maintenance,
Operating and User Fee Accounts
Total award: \$37,395.00 (estimated)
District (s): 3

Parks & Recreation, Center Staff, and Purchasing recommend award as indicated, Carefree Janitorial Services provided and meets the Best Value Criteria.

This is a thirty-six month contract with no option to renew, Carefree Janitorial Services offers a 1% 10 Days Prompt Payment Discount.

[Purchasing, Ray Heredia, (915) 541-4316]

14B. Solicitation No. 2005-072 City Hall 6th Floor Remodel
Contractor: Matyear Construction Co., Inc.
El Paso, Texas
Department: Building and Planning Services
Funds Available: 31260001-60615-PPWFA03009-508027
Funding Source: FY03 Certificates of Obligation
Items: Base Bid \$85,888.00
Total Award: \$85,888.00
District (s): 8

The Departments of Engineering and Building and Planning Services recommend the award of this contract to Matyear Construction Co., Inc., as this Offeror has provided the Best Value Proposal. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

This project consists of the remodeling the portion of the City Hall building 6th floor. O.M.B. Department will be relocating to this office space. Square footage renovated is 6,285 sq. ft. Cost per sq. ft for renovation is \$14.77.

Construction work includes, but is not limited to:

Site Demolition Removal and disposal of existing walls, disconnect and removal of existing electrical outlets and switches and computer outlets and telephones. Removal and relocations of existing door assemblies.

New Construction New typical wall construction. Tape, texture and paint existing, patched and new walls, and existing gyp. board ceiling area as required. Provide new door and frame complete assemblies as required. Repair and paint existing, relocated and new doors. Replace damaged suspended ceiling with new to match existing.

Installation of new mechanical diffusers, light switches, power and data/communications outlets. Provide all new cable CAT 6 for data/communications from data room to indicated outlet.

Provide new kitchen cabinets, sink and faucet to comply with T.D.A. Provide new complete plumbing piping connection; provide new soap dispenser and paper towel dispenser. Provide new pre-finished wood shelving w/supports at new storage room.

Adjustments and relocation of existing mechanical diffusers, light fixtures and electrical outlets. Carpet & wall base to be installed by others.

The space is currently awaiting renovation as Municipal Services functions have relocated. [Purchasing, Byron Johnson, (915) 541-4313]

14C.	Solicitation No. 2005-074	City Hall 9 th Floor Renovation
	Contractor:	Jan-Car, Inc. Horizon City, Texas
	Department:	Building and Planning Services
	Funds Available:	PPWFA03009-31260001-60615-508027, \$24,586.40 FY03 Certificates of Obligation PPWFA03009-31118111-27035-508027, \$49,421.98 1993 Certificates of Obligation PPWFA03009-31134000-27101, 27102 & 27105 508027, \$40,529.33 1997A Certificates of Obligation PPWFA03009-31250102-27178-508027, \$106,161.35 2000 Certificates of Obligation PPWFA03009-31250102-27179-508027, \$15,929.94 2000 Certificates of Obligation
	Items:	Base Bid II \$236,629.00
	Total Award:	\$236,629.00
	District (s):	8

The Departments of Engineering and Building and Planning Services recommend the award of this contract to Jan-Car, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council

The work is to take place inside the 9th floor of City Hall, located at Two Civic Center Plaza, El Paso, Texas. This project will provide for furnishing and complete installation of an automated file system for the City Attorney's office. Additionally, 2 renovated offices for City Attorney's Department, space for the City Manager's Department and the Deputy City Manager's offices will be renovated. The total area renovated, not inclusive of the filing system space, is 8,548 sq ft at a per sq. ft cost of \$20.64.

The work consists of interior demolition work including removal of carpet.

Work includes, but is not limited to sealants, doors and frames, hardware, glazing, partitions, finishes, vinyl composition tile, paint, ceilings, etc., window blinds, operable metal storage system, HVAC, plumbing, electrical power, lighting, and special systems. Contractor shall provide conduit for voice and data system. Contractor will not provide cabling for voice and data system.

Work includes, but is not limited to sealants, doors and frames, hardware, glazing, partitions, shelving, kitchen cabinets, finishes – paint and ceilings, HVAC, plumbing, electrical power and lighting. Contractor shall provide conduit for voice and data system. Contractor will not provide cabling for voice and data system. Contractor will not provide carpet and cove base.

The City Manager and staff will be relocating to the 9th floor. This will allow for future 10th floor reconfiguration to create a central reception area for visitors to 10th floor offices, additional conference room meeting spaces for City Council and staff other improvements and efficiencies in telephone and support services.
[Purchasing Department, Byron Johnson, (915) 541-4308]

15. REQUEST FOR PROPOSAL:

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

Solicitation No.	2005-094R	Sexual Assault Services For The Police Department
Award to:		Tenet Hospitals Limited d/b/a Sierra Medical Center
		El Paso, TX
Item (s):		All

Amount: \$100,750.00 (estimated yearly)
Department: Police
Funds available: 21010071-01101-502111
Funding source: Operating Account, Health Care Providers
Total award: \$302,250.00 (estimated)
District (s): All

Police Department, Staff, and Purchasing recommend award as indicated, Tenet Hospitals Limited d/b/a Sierra Medical Center, provided the sole proposal that meets all requirements of the RFP.

This is a thirty-six month contract with no option to renew.
[Purchasing, Ray Heredia, (915) 541-4316]

16. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

16A.	Solicitation No. 2005-028	Structural & Proximity Fire Fighting Clothing
	Vendor 1:	F & F Supply Company, Inc. Big Lake, Texas
	Item(s):	1A, 1B, 1B1, 1B3, 5, 7, & 8
	Amount:	\$50,000.00 (estimated annually)
	Vendor 2:	DZ Technologies, Inc. Dallas, Texas
	Item(s):	2A, 2B, 3 & (3A optional)
	Amount:	\$50,000.00 (estimated annually)
	Vendor 3:	Municipal Emergency Services, Inc. Houston, Texas
	Item(s):	#6
	Amount:	\$5,000.00 (estimated annually)
	Vendor 4:	Anclote Fire & Safety, Inc. Tarpon Spring, Florida
	Item(s):	#4
	Amount:	\$2,000.00 (estimated annually)

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Items # 1A1, 1A2 & 1B2 will not be awarded, the department has no longer need of them Option to extend contract will not be accepted to any part of this contract by the Fire Department. This is due to changes within the Department and NFPA.

No prompt payments offered.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

Department: Fire
 Funds available: 220010101-503123-01101
 Funding source: Fire Department General Operation Fund
 Total award: \$214,000.00 (estimated)
District (s): All
 [Purchasing, Jesus M. Juarez, (915) 541-4317]

- 16B.** Solicitation No. 2005-090 30-Cubic Yard Roll-Off Containers
 Award to: Industrial Maintenance Specialists
 El Paso, Texas
 Item (s): All
 Amount: \$140,284.48

Department: Solid Waste Management
 Funds available: 34150062-508004-07121-G340402 (\$21,919.45)
 34340200-508029-40415 (\$118,365.03)
 Funding source: Grant – Equipment FY 2004
 Solid Waste Capital Equipment GO Bonds 2004
 Total award: \$140,284.48
District (s): All

The Solid Waste Management and Purchasing Departments recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

Lower bids were received but were deemed non-responsive as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase thirty-two (32) 30-Cubic Yard Roll-Off Containers for the Solid Waste Management Department. Neither an option to purchase additional quantities nor a prompt payment discount was offered. [Purchasing, Alfonso Guerrero, (915) 541-4654.

17. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

- 17A.** BT2005-651 BUILDING AND PLANNING SERVICES
 Building and Planning Services proposes to appropriate \$265,457.50 to Wenda Way Street and Drainage project. Funding source is reimbursed expenditures from EPWU. **(District 7)**

Increase	\$265,457.50	to	31255008/PBE04ST14127695/405067	ReimbExpend
Increase	\$265,457.50	to	31255008/PBE04ST14127695/508027	Construction

17B. BT2005-653 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$159,424.10 to the Indian Place Street and Drainage project. Funding source is reimbursed expenditures from EPWU. **(District 7)**

Increase	\$159,424.10	to	31255008/PBE04ST11227695/405067	ReimbExpend
Increase	\$159,424.10	to	31255008/PBE04ST11227695/508027	Construction

17C. BT2005-655 MUNICIPAL CLERK

Increase technology appropriation as a drawdown from the dedicated revenue court technology fund for the purchase of digital scanning software and hardware. This product will enhance records management in court operations by allowing court documents to be scanned and stored electronically at the point of receipt and retrieved when necessary.

Increase	\$170,000	to	11153060/PMC000116011/404059	MunCtTecFee
Increase	\$170,000	to	11153060/PMC000116011/508010	DataProcEq

17D. BT2005-664 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$91,321.98 to Edgemere Blvd Extension project. Funding source is reimbursed expenditures from EPWU. **(District 5)**

Increase	\$91,321.98	to	31255008/PPWST0302227695/405067	ReimbExpend
Increase	\$91,321.98	to	31255008/PPWST0302227695/508027	Construction

17E. BT2005-668 PARKS AND RECREATION

This budget transfer requests a new appropriation to paint the exterior and interior of the Pavo Real Recreation Center. Parks personnel will provide labor.

Increase	\$1,500	to	51510115/P50021216312/407002	EstRev
Increase	\$1,500	to	51510115/P50021216312/508003	BldgImprv

17F. BT2005-677 AIRPORT

Transfer of funds to cover the cost of replacing ground power units to two loading bridges. Units are non-operational and spare parts are not available. Units are required to provide electrical power to aircraft that are parked at the loading bridges when the aircraft engines are not running.

Increase	\$100,000	to	62620005/40101/502226	BldgFacMaint
Increase	\$100,000	to	62620005/40101/407001	Intrafd Trf In
Increase	\$100,000	to	62620018/P50000241021/407002	Est Rev
Increase	\$100,000	to	62620018/P50000241021/507001	Intrafd Trf Out

18. APPLICATION FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

Westside Community Church to use amplification (4 speakers & 8 microphones from 35 k generator) at Francisco Delgado Park on March 26, 2005 from 12:00 p.m. to 4:00 p.m. for a free concert. Approximately 15 persons will take part and 500 spectators are anticipated. PERMIT NO. 05-009 **(District 1)** [Joe Williams]

NO OBJECTIONS FROM PARKS DEPARTMENT. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

REGULAR AGENDA

19. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

19A. An Ordinance granting a Special Privilege permitting Mario Hernandez, Hector Cobos, Jr., Eber Martinez, Maria Cobos, Margarita Cobos, Juan Torres, Pedro Orona, Hector Cobos, Maria Prieto, Maria Grado, Jack Kellog, Jesus Hernandez, Eusebio Coronel, Victor Ochoa, Carmen Cox, Maria Chavez, Eunise Morales, Maria Barraza, Santiago Aguilar and Brandon Palma to encroach onto a portion of various public rights-of-way with a food-vending concession in the Downtown area. **(District 8)** *(Annual Fees: \$1,100.00 or \$880.00 per location, SP-05001)*
[Planning, Research and Development, Esther Guerrero, (915) 541-4720]

19B. An ordinance authorizing the Mayor to sign a lease agreement between the City of El Paso and Sunset Heights Assets Reaching Everyone ("SHARE") for the lease of a portion of the Armijo Community Center, located at 710 East Seventh Street, El Paso, El Paso County, Texas, for the purpose of operating a youth initiative center that facilitates youth's ability to succeed in personal growth, family unity and community strength for a term of two (2) years. **(District 8)**
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

PUBLIC HEARING WILL BE HELD ON MARCH 8, 2005 FOR ITEMS 19A – 19B

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

20. MAYOR AND COUNCIL:

- 20A.** Discussion and action on a Resolution that the Mayor be requested to execute an Ordinance for the City of El Paso to initiate an R-3 Zoning in each of the four parcels of land which the El Paso Water Utilities has just released for development in Northeast El Paso; that all parcels of land be limited from any commercial development; that all parcels of land be developed as per the City of El Paso Master Plan for Northeast El Paso, and that only two parcels of land, Parcel A & D, be considered for any multi-family dwellings.

[Representative John F. Cook, (915) 541-4400] POSTPONED FROM 02/15/05

- 20B.** Discussion and action on a Resolution that the Mayor and the City of El Paso accept donations from the El Paso Municipal Police Officers Association in the amount of EIGHTEEN THOUSAND DOLLARS (\$18,000) and a donation from the North Hills Neighborhood Pride Association in the amount of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500) for the purpose of improving and remodeling the Police Department Memorial located at Chuck Heindrich Park; and that the Mayor and the City of El Paso fully support the use of EIGHTEEN THOUSAND DOLLARS (\$18,000) from District 4 Discretionary Funds for completion of said project.

Acct #504420; Dept ID #01153005; Fund #16509; Project #PD604525

[Representative John F. Cook, (915) 541-4140]

21. OFFICE OF MANAGEMENT AND BUDGET - BUDGET TRANSFERS:

[Office of Management and Budget, David Almonte, (915) 541-4011]:

21A. BT2005-652 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$670,082.60 to the Montwood Street and Drainage project. Funding source is reimbursed expenditures from EPWU. **(Districts 5 and 7)**

Increase	\$670,082.60	to	31255008/PBE04ST11927695/405067	ReimbExpend
Increase	\$670,082.60	to	31255008/PBE04ST11927695/508027	Construction

21B. BT2005-654 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$1,149,262 to the Central Business District Phase III project. Funding source is reimbursed expenditures from EPWU. **(District 8)**

Increase	\$1,149,262	to	31255008/PPWST0300127695/405067	ReimbExpend
Increase	\$1,149,262	to	31255008/PPWST0300127695/508027	Construction

21C. BT2005-671 BUILDING AND PLANNING SERVICES

On behalf of the Health Department, Building and Planning Services proposes to appropriate \$982,908 to fund construction of the Health Administration Phase II project. Funding source is Dept of Health & Human Services Health Resources and Services Administration grant. **(District 3)**

Increase	\$982,908	to	41150015/PPW020305534/406000	FedGrantProc
Increase	\$ 2,000	to	41150015/PPW020305534/508022	Administration
Increase	\$ 10,000	to	41150015/PPW020305534/508051	Prog Mgmt
Increase	\$912,178	to	41150015/PPW020305534/508027	Construction

Increase	\$ 19,365	to	41150015/PPW020305534/508026	Inspections
Increase	\$ 19,365	to	41150015/PPW020305534/508024	Testing
Increase	\$ 20,000	to	41150015/PPW020305534/508035	Comm Equip

22. PURCHASING:

The Director of Purchasing Requests that Mayor and Council terminate with Custom Products Corporation, Contract No. 2003-191 for Aluminum Sign Blanks, for default pursuant to Clause No. 18B of the Contract, an item titled Termination for Default, whereby the City reserved the right to terminate the Contract for default.

The user Department was notified & a new solicitation will be issued.

Department: Street Department
[Purchasing, Jesus M. Juarez, (915) 541-4317]

23. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:

- 23A.** Public hearing to determine if the property located at 10121 Dyer St., Space 32, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 2004. The owners of this property, Lilian Heller, trustee for the Heller Family Trust, 7909 Big Bend, El Paso, Texas 79904 is listed as the owner of the real property described herein and Guadalupe Villa, 5616 Tropicana Avenue, El Paso, Texas 79924 is listed as the owner of the mobile home according to the records of El Paso, Central Appraisal District, have been notified of the violations at this property. **(District 4)**
[Building Permits and Inspections, Tom Maguire (915) 541-4588]
- 23B.** Public hearing to determine if the property located at 5557 Peinado Lane, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated August 31st, 2004. The owner of this property, John W. Bair, 10908 Golden Pond Drive, El Paso, Texas 79934, has been notified of the violations at this property. **(District 2)**
[Building Permits and Inspections, Tom Maguire (915) 541-4588]
- 23C.** Public hearing to determine if the property located at 4001 Laredo Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 3rd, 2004. The owner of this property, Estate of Juana C. Saucedo, C/O Jesus & Cecilio Saucedo, 11717 Corral Palm, El Paso, Texas 79936, owner, has been notified of the violations at this property. **(District 8)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

24. PUBLIC HEARING – ENGINEERING DEPARTMENT, TRAFFIC DIVISION:

An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times on Certain Streets) To Add a New Location On Burgundy Drive Between Verdun Way and a Point 1,200 Feet North of Escobar Drive, Both Sides. The Penalty Being As Provided In Section 12.84.010 of The El Paso Municipal Code.

(District 6) [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

25. PUBLIC HEARING – FINANCIAL AND ADMINISTRATIVE SERVICES:

An Ordinance authorizing the Mayor to sign a contract of sale and any other necessary documents between the City of El Paso and Western Refining Company, L. P. for property legally described as Collingsworth Survey 14, tracts 1-A, 1-C, and 1-E and portion of tracts 1-B and 1-G, El Paso, El Paso County, Texas including the improvements thereon, also known as the Clark Facility.

[Financial and Administrative Services, Gonzalo Cedillos, (915) 541-4074]

26. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

26A. An Ordinance changing the zoning of A Portion of WFF Industries Park Unit One, Replats A&B and a Portion of WFF Industries Park Unit Two, El Paso, El Paso County, Texas, from M-1 (Light Manufacturing) to R-5 (Residential). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Geode Limited Partnership. ZON04-00133. **(District 4)**

[Planning, Research & Development, Rudy Valdez, 541-4635]

26B. An Ordinance amending Title 19 (Subdivisions) of the El Paso Municipal Code, by amending Sections 19.28.010 (Construction of Subdivision Improvements) to modify language concerning extension requests, and by amending 19.28.020 (Guarantees) to modify language regarding required security ensuring completion of subdivision improvements when requesting extensions to complete same. [Planning, Research & Development, Rudy Valdez, 541-4635]

26C. An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by adding golf driving range as a use permitted by special permit in Chapters 20.12 (R-1, R-2, R-2A, R-3 and R-3A Residential Districts), 20.14 (R-4 and R-5 Residential Districts), 20.20 (A-1 Apartment District), 20.22 (A-2 Apartment District), 20.24 (A-3 Apartment District), 20.28 (A-O Apartment/Office District), 20.30 (A-3/O Apartment/Office High Density District), and 20.32 (A-M Apartment and Mobile Home Park District), and amending Chapter 20.02 (General Provisions and Definitions) to add a definition for golf driving range. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.

(All Districts) [Planning, Research and Development, Fred Lopez, (915) 541-4925]

- 26D.** An Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by adding golf driving range as a permitted use in Chapters 20.36 (C-1 Commercial Districts) and 20.38 (C-2 Commercial Districts), and amending Chapter 20.02 (General Provisions and Definitions) to add a definition for golf driving range. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. **(All Districts)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 26E.** An ordinance amending ordinance No. 013980, as amended by ordinances 014787 and 015374, which granted a Special Privilege to Keller & Azar Joint Venture, Inc. (Owner), and Boeing North American, Inc. (Lessee), to permit the temporary use of a portion of Threadgill Avenue for security purposes, by extending the term through March 17, 2010 and by authorizing an assignment and transfer from Keller & Azar Joint Venture, Inc. (Owners) to Wes Uhlman & Associates, Inc./Mallard El Paso Limited Partnership (Owners) and from Boeing North American, Inc. (Lessee) to The Boeing Company (Lessee). (Fee: \$19,500.00, SP98143c) **(District 4)**
[Planning, Research and Development, Esther Guerrero, (915) 541-4720]
- 26F.** An Ordinance vacating the City's interest in two parcels of property, each .03 acres in size, one located within Lot 4, Block 218, Campbell Addition, the other located within Lot 16, Block 218, Campbell Addition, both within the City of El Paso, El Paso County, Texas. **(District 8)**
[Planning, Research and Development, Rudy Valdez, (915) 541-4635]
- 26G.** Discussion and action on a Resolution that the Mayor be authorized to accept the Dedication Deed from COLONY PARTNERS L.P. a Texas Limited Partnership by its General Partner, Colony Partners Management, L.L.C., conveying to the City of El Paso a 3.71 acre parcel of land, more or less, being a portion of Tract 1B2, Nellie D. Mundy Survey No. 242, City of El Paso, El Paso County, Texas, for parkland purposes and in exchange for parkland credits pursuant to Title 19 (Subdivisions) of the El Paso Municipal Code; and be further authorized to sign an agreement concerning such conveyance of property to the City of El Paso. **(District 1)**
[Planning, Research and Development, Rudy Valdez, (915) 541-4635]

27. CITY MANAGER:

City Manager's report of current events and issues:

- a. Update of Capital Improvements Program, including capital project status (all funds) and 10-year plan development. POSTPONED FROM 02/15/05
- b. Presentation of the 2004 annual report of the El Paso Police Department pertaining to their analysis of the race and ethnicity information collected in conjunction with traffic stops, as required by Article 2.132, Code of Criminal Procedure.

- 28.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 28A.** Ranchos Real IV, Ltd., vs. The City of El Paso; Cause No. 2001-3371. (551.071)
[City Attorney's Office, Michele Little Locke, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov>